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Debra Boone-Sharp, Gloria Carpenter, John Fischer,
8 *William Gittere, Angela Gregersen, Dawn Jones,*
Curtis Kerner, Michael Koehn, Keli Lyons, Mardelle Petersen,
9 *Terry Riley, Ned Schuering, Harlene Stark,*
Teresa Stark and Marc Sweeten

10
11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 RONALD R. SANTOS,

14 Plaintiff,

15 v.

16 ROMEO ARANAS, *et al.*,

17 Defendants.

Case No. 3:16-cv-00394-MMD-VPC

**MOTION FOR ENLARGEMENT OF TIME
TO FILE SETTLEMENT DOCUMENTS**

18 Defendants Romeo Aranas, Debra Boone-Sharp, Gloria Carpenter, John Fischer, William
19 Gittere, Angela Gregersen, Dawn Jones, Curtis Kerner, Michael Koehn, Keli Lyons, Mardelle Petersen,
20 Terry Riley, Ned Schuering, Harlene Stark, Teresa Stark and Marc Sweeten, by and through counsel
21 Adam Paul Laxalt, Attorney General, and Erin L. Albright, Deputy Attorney General, of the State of
22 Nevada, Office of the Attorney General, and Plaintiff, Ronald R. Santos, by and through counsel Victor
23 Drakulich, Esq., hereby move this Court for an enlargement of time to file the settlement documents.
24 This motion is based on the following Memorandum of Points and Authorities and all papers and
25 pleadings on file herein.

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. RELEVANT FACTUAL BACKGROUND**

3 On January 10, 2018, the parties attended a Settlement Conference where they reached a
4 settlement. (ECF No. 41). The settlement documents were to be filed by February 20, 2018. Counsel
5 for the parties met on February 22, 2018 to review the concerns Plaintiff had regarding the documents.
6 Plaintiff's counsel is scheduled to meet with Plaintiff the week of February 20, 2018 to execute the
7 settlement documents. To date, the parties have not executed the necessary settlement documents.

8 **II. DISCUSSION**

9 FED. R. CIV. P. 6(b)(1) governs enlargements of time and provides as follows:

10 When an act may or must be done within a specified time, the court may,
11 for good cause, extend the time: (A) with or without motion or notice if
12 the court acts, or if a request is made, before the original time or its
extension expires; or (B) on motion made after the time has expired if the
party failed to act because of excusable neglect.

13 The proper procedure, when additional time for any purpose is needed, is to present a request for
14 extension of time before the time fixed has expired. *See Canup v. Mississippi Val. Barge Line Co.*, 31
15 F.R.D. 282 (W.D.Pa. 1962). Extensions of time may always be asked for, and usually are granted on a
16 showing of good cause if timely made under subdivision (b)(1) of the Rule. *See Creedon v. Taubman*, 8
17 F.R.D. 268 (N.D. Ohio 1947).

18 The time to file settlement documents in this matter has not expired. This extension is not made
19 for the purposes of delay or to prejudice Plaintiff. Defendants seek an enlargement to time to file the
20 settlement documents in this matter because Plaintiff's counsel is scheduled to meet with Plaintiff to
21 review and execute the documents after the date on which the documents are scheduled to be filed with
22 this Court.

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1 **III. CONCLUSION**

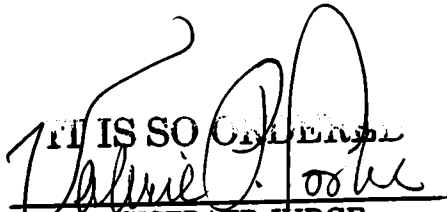
2 Since good cause exists to extend the deadline to file the settlement documents, Defendants
3 respectfully request this Court grant Defendants until March 13, 2018 to file the settlement documents
4 with this Court.

5 DATED this 20th day of February, 2018.

6 ADAM PAUL LAXALT
7 Attorney General

8 By: 
9 ERIN L. ALBRIGHT
10 Deputy Attorney General
11 State of Nevada
12 Bureau of Litigation
13 Public Safety Division

Attorneys for Defendant

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15 THIS IS SO ORDERED
16 
17 U.S. MAGISTRATE JUDGE

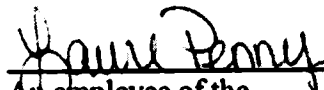
18 DATED: February 22, 2018
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CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 20th day of February, 2018, I caused a copy of the foregoing, **MOTOIN FOR ENLARGEMENT OF TIME TO FILE SETTLEMENT DOCUMENTS**, to be served, by U.S. District Court CM/ECF Electronic Filing on the following:

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An employee of the
Office of the Attorney General

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